

FORM PTO-1390(modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 10-95)		ATTORNEY'S DOCKET NUMBER <b>29097</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C., 371		U.S. APPLICATION NO. (IF KNOWN), SEE 37 CFR <b>10/517768</b>
INTERNATIONAL APPLICATION NO. <b>PCT/IL03/00540</b>	INTERNATIONAL FILING DATE <b>26 June 2003</b>	PRIORITY DATE CLAIMED <b>27 June 2002</b>
TITLE OF INVENTION <b>METHOD AND APPARATUS FOR POSITIONING A SURGICAL INSTRUMENT</b>		
APPLICANT(S) FOR DO/EO/US <b>Shaike SCHATZBERGER</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO.US) the following items and other information:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li><input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(3)(2)) <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </li> <li><input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(3)(2)).</li> <li><input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li><input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19(35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 13 to 18 below concern document(s) of information included:		
<ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A FIRST preliminary amendment. A SECOND or SUBSEQUENT preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> Certificate of Mailing by Express Mail</li> <li><input type="checkbox"/> The sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing</li> <li><input checked="" type="checkbox"/> Other items or information: <b>PCT REQUEST; PRELIMINARY AMENDMENT.</b></li> <li><input checked="" type="checkbox"/> 42 pages of specification (including Abstract page)</li> <li><input checked="" type="checkbox"/> 23 sheets of drawings</li> <li><input type="checkbox"/> ____ pages of sequence listing</li> <li><input checked="" type="checkbox"/> 65 total pages</li> </ol>		

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**THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:**

<b>FOR:</b>	<b>Column 1 No. FILED</b>	<b>Column 2 No. EXTRA</b>	<b>SMALL ENTITY</b>		<b>OTHER THAN A SMALL ENTITY</b>	
			<b>RATE</b>	<b>Fee</b>	<b>RATE</b>	<b>Fee</b>
Basic National Stage Fee				\$ 150.00		\$ 300
National Stage Search Fee				\$ 250.00		\$ 500
National Stage Examination Fee				\$ 100.00		\$ 200
National Stage Application Size Fee (Per 50 Pages Over 100)			x \$ 125	\$ 0.00	x \$250	\$
Multiple Dependent Claim			x \$ 180	\$ 0.00	x \$ 360	\$
Total Claims*	63 - 20=	43	x \$ 25	\$ 1,075.00	x \$50	\$
Independent Claims*	5 - 3=	2	x \$100	\$ 200.00	x \$200	\$
* (If the difference in Column 1 is less than "0", enter "0" in Column 2)			<b>TOTAL</b>	<b>\$ 1,775.-</b>	<b>TOTAL</b>	<b>\$</b>

A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

- Authorization to charge the above filing fee of \$1,775.00 to the Credit Card number listed on the attached Credit Card Payment Form PTO-2038 is attached herewith.
- In the event additional fees are required, please charge these additional fees to Deposit Account 50-1407.
- In the unlikely event payment by the Credit Card issuer is refused, please charge the filing fee of \$1,775.00 to Deposit Account 50-1407.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Martin Moynihan C/O ANTHONY CASTORINA SUITE 207 2001 JEFFERSON DAVIS HIGHWAY ARLINGTON, VIRGINIA 22202, USA	 SIGNATURE <hr/> Martin Moynihan NAME <hr/> 40,338 REGISTRATION NUMBER <hr/> 23 December 2004 DATE
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